

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 7, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Jennifer Eck (D)
Rep. Bill Harris (R)
Rep. Kathy Kelker (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Matt Regier (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Ellie Hill Smith (D)
Rep. Casey Knudsen (R)
Rep. Shane A. Morigeau (D)

Members Absent: None

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 366, 4/3/2017; SB 368, 4/3/2017; SB 377, 4/3/2017
Executive Action: HJ 29, SB 172, SB 251, SB 153, SB 250, SB 22

HEARING ON SB 366**Opening Statement by Sponsor:**

00:00:30 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 366, Generally revise driver's license and state identification laws.

[EXHIBIT\(juh73a01\)](#)

00:01:49 Rep. C. Knudsen joined the meeting.

Proponents' Testimony:

00:05:23 Paul Nachman, Self

[EXHIBIT\(juh73a02\)](#)

[EXHIBIT\(juh73a03\)](#)

00:10:24 Tom Ebzery, Montana Airport Managers

00:12:13 Ed Bartlett, Billings Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

00:13:21 Sarah Garcia, Motor Vehicle Division (MVD); Department of Justice (DOJ)

00:13:44 Bryan Fox, Montana National Guard Association (MTNGA); Department of Military Affairs (DMA)

Questions from Committee Members and Responses:

00:14:12 Rep. Kelker

00:14:38 Sarah Garcia, DOJ

00:16:41 Rep. Wagoner

00:17:02 Sarah Garcia, DOJ

00:17:37 Rep. Court

00:18:30 Sen. Cohenour

00:19:51 Sarah Garcia, DOJ

00:21:21 Rep. Harris

00:21:49 Sen. Cohenour

00:24:52 Rep. Manzella

00:25:55 Sen. Cohenour

00:26:43 Rep. Morigeau joined the meeting.

00:27:32 Rep. C. Knudsen

00:27:47 Sarah Garcia, DOJ

00:28:59 Rep. Usher

00:29:19 Sen. Cohenour

00:31:15 Rep. Usher

00:31:47 Sarah Garcia, DOJ

00:32:19 Rep. Sheldon-Galloway

00:32:59 Sen. Cohenour

00:36:26 Rep. Eck

00:36:47 Sen. Cohenour

00:40:16 Rep. Kelker

00:40:45 Bryan Fox, MTNGA; DMA

00:42:41 Rep. Court

00:42:55 Sen. Cohenour
00:46:14 Chair Doane
00:46:26 Sarah Garcia, DOJ
00:46:33 Chair Doane
00:46:59 Sen. Cohenour

Closing by Sponsor:

00:48:10 Sen. Cohenour

HEARING ON SB 377

Opening Statement by Sponsor:

00:49:34 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 377, Revise laws related to bringing Montana into compliance with federal real ID act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:52:07 Sarah Garcia, Motor Vehicle Division (MVD); Department of Justice (DOJ)
00:52:31 Bryan Fox, Montana National Guard Association (MTNGA); Department of Military Affairs (DMA)

Questions from Committee Members and Responses:

00:52:58 Rep. Manzella
00:53:23 Sarah Garcia, DOJ
00:53:42 Rep. Court
00:54:18 Sarah Garcia, DOJ

Closing by Sponsor:

00:54:40 Sen. Fitzpatrick

HEARING ON SB 368

Opening Statement by Sponsor:

01:02:01 Sen. Tom Richmond (R), SD 28, opened the hearing on SB 368, Generally revise campaign practices laws.

[EXHIBIT\(juh73a04\)](#)

[EXHIBIT\(juh73a05\)](#)

[EXHIBIT\(juh73a06\)](#)

Proponents' Testimony: None

Opponents' Testimony:

01:13:22 Commissioner Jonathan Motl, Commissioner of Political Practices (COPP)

[EXHIBIT\(juh73a07\)](#)

01:32:29 C.B. Pearson, Common Cause Montana
[EXHIBIT\(juh73a08\)](#)

01:42:42 Al Smith, Montana Trial Lawyers Association (MTLA)

01:49:39 Erik Burke, Montana Education Association-Montana Federation of Teachers
(MEA-MFT)

Informational Testimony: None

Questions from Committee Members and Responses:

01:51:37 Rep. Kelker
01:52:08 Sen. Richmond
01:55:20 Rep. Manzella
01:58:16 Sen. Richmond
02:03:26 Rep. Manzella
02:03:51 Al Smith, MTLA
02:05:54 Rep. Harris
02:06:02 Rep. Court
02:06:40 Sen. Richmond
02:09:08 Rep. Court
02:09:25 Jonathan Motl, COPP

Closing by Sponsor:

02:10:47 Sen. Richmond

Committee Business:

02:12:35 Chair Doane
02:13:17 Rep. Court

02:13:52 Recess
02:31:27 Reconvene

EXECUTIVE ACTION ON HJ 29

Discussion:

02:31:31 Helen Thigpen, Legislative Services Division (LSD)

02:32:31 **Motion:** Rep. Berglee moved that **HJ 29 DO PASS.**

02:32:38 **Motion:** Rep. Berglee moved that **HJ 29 BE AMENDED.**

[EXHIBIT\(juh73a09\)](#)

Discussion:

02:32:45 Helen Thigpen, LSD
02:33:28 Rep. Kelker
02:33:34 Rep. C. Knudsen

02:33:51 **Vote:** Motion carried 18-1 by voice vote with Rep. Eck voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy.

02:34:24 **Motion/Vote:** Rep. Berglee moved that **HJ 29 DO PASS AS AMENDED**. Motion carried 18-1 by voice vote with Rep. M. Regier voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy.

EXECUTIVE ACTION ON SB 172

Discussion:

02:35:18 Helen Thigpen, LSD

02:35:37 **Motion:** Rep. Berglee moved that **SB 172 BE CONCURRED IN**.

Discussion:

02:36:29 Chair Doane

02:36:44 Rep. Morigeau

02:37:32 Rep. B. Brown

02:38:04 Rep. C. Knudsen

02:38:25 Helen Thigpen, LSD

02:38:56 **Vote:** Motion carried 14-5 by roll call vote with Rep. B. Brown, Rep. Doane, Rep. Hill Smith, Rep. Morigeau and Rep. Mortensen voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON SB 251

02:40:17 Helen Thigpen, LSD

02:40:50 **Motion:** Rep. Berglee moved that **SB 251 BE CONCURRED IN**.

02:41:13 Chair Doane

02:41:25 Rep. Harris

02:42:18 Rep. Bishop

02:43:52 **Substitute Motion/Vote:** Rep. C. Knudsen moved that **SB 251 BE TABLED**. Motion carried 11-8 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau and Rep. Perry voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy.

EXECUTIVE ACTION ON SB 22

Discussion:

02:45:59 Helen Thigpen, LSD

02:46:29 **Motion:** Rep. Berglee moved that **SB 22 BE CONCURRED IN**.

Discussion:

02:46:37 Rep. Manzella

02:47:12 Rep. McConnell

02:48:18 **Vote:** Motion carried 18-1 by voice vote with Rep. Manzella voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy. Rep. McConnell will carry the bill.

EXECUTIVE ACTION ON SB 153

Discussion:

02:49:15 Helen Thigpen, LSD

02:49:35 **Motion:** Rep. Berglee moved that **SB 153 BE CONCURRED IN.**

Discussion:

02:49:43 Rep. Mortensen

02:50:34 Rep. Regier

02:51:11 Rep. Manzella

02:51:34 Rep. Mortensen

02:51:42 Rep. Kelker

02:52:02 Chair Doane

02:52:20 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

02:52:56 Rep. Usher

02:53:11 **Vote:** Motion carried 15-4 by roll call vote with Rep. Berglee, Rep. Harris, Rep. C. Knudsen and Rep. Manzella voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy. Rep. Garner will carry the bill.

EXECUTIVE ACTION ON SB 250

Discussion:

02:55:12 Helen Thigpen, LSD

02:55:45 **Motion:** Rep. Berglee moved that **SB 250 BE CONCURRED IN.**

Discussion:

02:55:51 Rep. C. Knudsen

02:56:12 Rep. McConnell

02:56:59 Helen Thigpen, LSD

02:57:59 Chair Doane

02:58:05 Rep. Morigeau

02:58:28 **Vote:** Motion carried 16-3 by roll call vote with Rep. C. Knudsen, Rep. Manzella and Rep. Mortensen voting no. Rep. Hill Smith and Rep. Sheldon-Galloway voted by proxy. Rep. Usher will carry the bill.

ADJOURNMENT

Adjournment: 03:00:11

Sara Fleming, Secretary

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Additional Documents:

EXHIBIT([juh73aad.pdf](#))